

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE  
MINUTES  
FEBRUARY 26, 2013**

**The scheduled meeting of the Public Safety and Legal Administration Committee was held on Tuesday, February 26, 2013 at 4:26 p.m. in Committee Room #2. The following members were present:**

**The Following Committee Members were Present**

**The Honorable Michael J. Bond, Chair  
The Honorable C. T. Martin  
The Honorable Keisha Lance Bottoms  
The Honorable Cleta Winslow  
The Honorable H. Lamar Willis, Vice-Chair  
The Honorable Ivory Lee Young, Jr.  
The Honorable Kwanza Hall**

**Others present at the meeting were: Katrina Taylor-Parks; Mayor's Office; Cathy Hampton, City Attorney; Eric Richardson, Deputy City Attorney; Roger Bhandari, Deputy City Attorney; Amber Robinson, Law Department; Karen Thomas, Law Department; Keisha Burnette, Law Department; Claude Cole, Claims-Law Department; Major C. J. Davis, APD; Deputy Chief Rene Propes, APD; Kristen Denius, Law Department; media, public and council staff.**

**A. ADOPTION OF AGENDA**

The Agenda was Adopted without objection.

**B. APPROVAL OF MINUTES**

The Minutes for the Public Safety and Legal Administration Committee Meeting held on February 12, 2013 were approved without objection.

**C. PSLA COMMITTEE 2013 GOALS AND OBJECTIVES**

Chairperson Bond intended to address this section of the agenda but due to time restraints, he asked the Committee to be prepared to finalized the 2013 PSLA Committee G&O at the next regularly scheduled meeting of the Committee on March 12, 2013. He instructed the Research and Policy Analysis staff to place the 2013 PSLA Committee G&O on the next PSLA Committee agenda. Without objection his request was accepted.

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**D. DISCUSSIONS/PRESENTATIONS**

**1. Department Quarterly Report,**

Law Department., Cathy Hampton, City Attorney

City Attorney Cathy Hampton addressed several inquiries made by the Committee. She provided updates on settlements and claims since the last report in October 2012, she gave highlights for the second quarter and she gave a report on outside counsel which should include the number of firms actively working for the city, the number of cases they are handling and why and how outside counsel is used. She also addressed the Departments spending. A copy of the presentation is on file with these minutes and this meeting may be viewed by visiting the City of Atlanta website at [www.atlantaga.gov](http://www.atlantaga.gov)

**2. Code Enforcement Update,**

Major C. J. Davis, Atlanta Police Department

Major Davis gave a report on the inspections that have taken place since the last report. She stated that 596 locations had been inspected, 207 new cases, and 146 cases were presented in Municipal Court stemming from citations. She told the Committee that demolition had been completed at 375 Angier Avenue, the special procurement process is underway for the asbestos abatement for 2030 Allison Court and the contractor is ready for demolition of 176 Anderson Avenue. Major Davis informed the Committee that Code Enforcement is currently working with the American Association of Code Enforcement Trainers for National Certification of her officers, other members of city government in the metro Atlanta area and across the region in August. She also reported that Code Enforcement will head up two teams of inspectors during the NCAA Final Four to ensure no code violations take place. A copy of this presentation has been requested and this meeting may be viewed by visiting the City of Atlanta website at [www.atlantaga.gov](http://www.atlantaga.gov)

**CONSENT AGENDA**

**E. RESOLUTIONS**

**Claims with favorable recommendations**

13-R-0338 ( 1) Claim of **Felicia Wilson, through her Attorney, Neil Flit (DWM/02)**, for personal injury alleged to have been sustained as a result of an automobile accident on July 28, 2011 at Peachtree Street and Martin Luther King Drive.  
**\$12,500.00**

13-R-0339 ( 2) Claim of **Nicole Brinson, through her Attorney, Kenneth S. Nugent, P.C. (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on October 9, 2011 at Metropolitan parkway and Dill Avenue.  
**\$8,765.00**

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations (cont'd)**

- 13-R-0340 ( 3)      Claim of **Be Cong Huynh and Huy Cuong Le Huynh (DPW/01)**, for property damage alleged to have been sustained as a result of an automobile accident on August 16, 2012 at Lakewood Avenue and McDonough Boulevard.  
**\$6,928.52**
- 13-R-0341 ( 4)      Claim of **Margaret Stinson (DWM/11)**, for property damage allegedly sustained as a result of a sewer back-up on October 22, 2012 at 2410 Maxwell Drive.  
**\$5,383.50**
- 13-R-0342 ( 5)      Claim of **Chubb Group of Insurance Company, as Subrogee of Donald Childress (DWM/08)**, for property damage alleged to have been sustained from an automobile accident on June 7, 2011 at Harris Trail and Mt. Paran Road.  
**\$4,495.88**
- 13-R-0343 ( 6)      Claim of **Joanne Kelley (DPRCA/06)**, for bodily injury allegedly sustained as a result of tripping on a tree root protruding from the sidewalk on July 3, 2012 at 1025 Los Angeles Avenue.  
**\$4,200.00**
- 13-R-0344 ( 7)      Claim of **Geico, as Subrogee of Kristi Graunke (APD/05)**, for property damage sustained as a result of a vehicular accident on June 6, 2012 at Kirkwood Avenue and Tye Street.  
**\$4,045.34**
- 13-R-0345 ( 8)      Claim of **State Farm, as Subrogee of Burnard Hunt (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on June 22, 2012 at Peters and Haynes Streets.  
**\$3,955.67**
- 13-R-0346 ( 9)      Claim of **Progressive Mountain Insurance, as Subrogee of Baliram Ravleker (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on June 16, 2012 at North Avenue and Courtland Street.  
**\$3,826.53**

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations**

- 13-R-0347 (10) Claim of **Anthony V. Green (DWM/NA)**, for property damage alleged to have been sustained from water service establishment on October 18, 2012 at 5585 Hampton Court, College Park Georgia.  
**\$3,421.20**
- 13-R-0348 (11) Claim of **Progressive American Insurance, as Subrogee of Terri J. Russell (AFR/02)**, for property damage alleged to have been sustained as a result of an automobile accident on May 14, 2012 at Pryor and Mitchell Streets.  
**\$3,236.98**
- 13-R-0349 (12) Claim of **Julia H. Church (DPW/10)**, for property damage alleged to have been sustained as a result of an automobile accident on October 21, 2012 at 2636 M.L. King, Jr. Drive.  
**\$2,145.78**
- 13-R-0350 (13) Claim of **Adrienne J. Albert (AFR/01)**, for property damage alleged to have been sustained as a result of an automobile accident on November 28, 2012 at 1595 Jonesboro Road.  
**\$1,828.44**
- 13-R-0351 (14) Claim of **MARTA (APD/10)**, for vehicular damages alleged to have been sustained from an automobile accident on January 24, 2012 at 3050 Martin Luther King, Jr. Drive & Lynhurst Drive  
**\$1,728.74**
- 13-R-0352 (15) Claim of **Comcast, through Phoenix Loss Control (DWM/NA)**, for property damage allegedly sustained as a result of a severed cable line during the installation of a water meter on August 20, 2012 at 190 Sheridan Point Lane.  
**\$1,013.61**
- 13-R-0353 (16) Claim of **Thomas Horner (DWM/07)**, for property damage allegedly sustained as a result of a sewer back-up on November 18, 2012 at 2349 Virginia Place.  
**\$1,007.00**
- 13-R-0354 (17) Claim of **Jimmy L. Billups and Grady Health System (APD/05)**, for bodily injury alleged to have been sustained as a result of an automobile accident on August 22, 2012 on Memorial Drive.  
**\$1,001.35**

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations (cont'd)**

13-R-0355 (18) Claim of **Anthony B. Farley (AFR/03)**, for property damage alleged to have been sustained as a result of a motor vehicle accident on September 29, 2012 at Donald Lee Hollowell Parkway and Hightower Place.

**\$968.20**

13-R-0356 (19) Claim of **Ary Rodrigues Cunha (AFR/01)**, for property damage alleged to have been sustained as a result of an automobile accident on November 12, 2012 at the exit ramp from GA 166/Lakewood Avenue.

**\$810.08**

**Claims with unfavorable recommendations**

13-R-0357 (20) Claim of **Melvin Battle, through his Attorney, Derek D. Welch, Esq., Anderson & Welch, L.L.C. (APD/04)**, for bodily injuries alleged to have been sustained as a result of a motor vehicle accident on May 2, 2011 at Olympian Way and Cascade Avenue.

13-R-0358 (21) Claim of **Raoof M. Ansar (APD/06)**, for bodily injury alleged to have been sustained as the result of being transported in a City vehicle on April 17, 2011 at 1925 Monroe drive.

13-R-0359 (22) Claim of **Tracyann Martinez, through her Attorney, Charles C. Hooker, Esq., Hooper & Honroe, LLC (APD/06)**, for bodily injury alleged to have been sustained from an automobile accident on September 27, 2012 at 1944 Piedmont Circle.

13-R-0360 ( 23) Claim of **Joel Green (APD/07)**, for property damage alleged to have been sustained as a result of a motor vehicle accident on November 14, 2012 at 2625 Piedmont Road.

13-R-0361 (24) Claim of **Keiana Williams, through her Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.

13-R-0362 (25) Claim of **Keyona Norris, through her Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0363 (26) Claim of **James Woolforlk, Jr., through his Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.
- 13-R-0364 (27) Claim of **Lisa Woolforlk, through her Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.
- 13-R-0365 (28) Claim of **Timothy Colzie, through his Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.
- 13-R-0366 (29) Claim of **Nekevia Colzie, through her Attorney, Sheryl Burke (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on April 3, 2012 at 795 Cascade Avenue.
- 13-R-0367 (30) Claim of **Connie Gardner, through her Attorney, Jack O. Morse (DFR/12)**, for bodily injury alleged to have been sustained on January 12, 2012 as the result of an automobile accident at Metropolitan Parkway and Fair Street.
- 13-R-0368 (31) Claim of **Connie Gardner, through her Attorney, Jack O. Morse (DFR/12)**, for property damage alleged to have been sustained on January 12, 2012 as the result of an automobile accident at Metropolitan Parkway and Fair Street.
- 13-R-0369 (32) Claim of **Joshua A. Morgan (DOA/NA)**, for property damage alleged to have been sustained when a tree fell on a parked vehicle on October 30, 2012 at Hartsfield-Jackson Atlanta International Airport, 6000 S. Terminal Parking.
- 13-R-0370 (33) Claim of **Sandra Donaldson-Taylor (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on the train on May 5, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0371 (34) Claim of **Shakila Kelly, through her Attorney, Robert A. Demetz, Jr., Morgan & Morgan (DOA/NA)**, for bodily injuries alleged to have been sustained from a slip and fall incident on June 17, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0372 (35) Claim of **Rhonda Levitt, through her Attorney, James L. Cannella, Jr., Morgan & Morgan (DOA/NA)**, for bodily injuries alleged to have been sustained from a slip and fall incident on November 20, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0373 (36) Claim of **Fatima Moreland, through her Attorney, Shaun R. Cade, McAller Law (DOA/NA)**, for bodily injuries alleged to have been sustained from a slip and fall incident on June 17, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0374 (37) Claim of **Erieka Dancy, through her Attorney, Bryman & Clerke, P.A. (DOA/NA)**, for bodily injury alleged to have been sustained from a slip and fall incident on May 24, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0375 (38) Claim of **Kurtis Mott (DPW/10)**, for property damage alleged to have been sustained from driving over road defects on June 5, 2011 at Fairburn Road and Collier Road, Fairburn Road and Argus Street, Sylvan Road and Murphy Avenue, M.L. King Drive and Bakers Ferry Drive.
- 13-R-0376 (39) Claim of **Jodi Schiele Arden (DPW/02)**, for property damage alleged to have been sustained as a result of a metal plate on December 8, 2010 at Courtland Avenue and Ellis Street.
- 13-R-0377 (40) Claim of **Purco Fleet Services, as Subrogee of Advantage Rent A Car (DPW/04)**, for property damage injury alleged to have been sustained from an automobile accident on March 16, 2011 at Campbellton Road & Mt. Gilead Road.
- 13-R-0378 (41) Claim of **Theresa Parks, through her Attorney, Griffin Law Firm, P.C. (DPW/05)**, for bodily injury alleged to have been sustained from an automobile accident on January 24, 2012 at Flat Shoals Avenue and Metropolitan Avenue.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0379 (42) Claim of **Krystal Perkins and Mamoudou Konte, through their Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/01)**, for property damages alleged to have been sustained from sanitary and storm sewer overflows on July 9, 2012 and July 11, 2012, at 202 Atlanta Avenue.
- 13-R-0380 (43) Claim of **Tom Gladden and Megan Carswell, through their Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/01)**, for property damages alleged to have been sustained from sanitary and storm sewer overflows on July 9, 2012 and July 11, 2012, at 202 Atlanta Avenue.
- 13-R-0381 (44) Claim of **Robert Darden and Bertha Darden, through their Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/01)**, for property damages alleged to have been sustained from sanitary and storm sewer overflows on July 9, 2012 and July 11, 2012, at 206 Atlanta Avenue.
- 13-R-0382 (45) Claim of **Dan Mitchell, through his Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/01)**, for property damages alleged to have been sustained from sanitary and storm sewer overflows on July 9, 2012 and July 11, 2012, at 959 Hill Street.
- 13-R-0383 (46) Claim of **Angelo Cogdell and Carla Cogdell, through their Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/01)**, for property damages alleged to have been sustained from sanitary and storm sewer overflows on July 9, 2012 and July 11, 2012, at 219 Atlanta Avenue.
- 13-R-0384 (47) Claim of **Brenton Moore, through his Attorney, William E. Fields, Attorney At Law (DWM/02)**, for vehicular damages alleged to have been sustained from an automobile accident on October 9, 2010 at 1605 Peachtree Street.
- 13-R-0385 (48) Claim of **Lenore Williams, through her Attorney, William E. Fields, Attorney At Law (DWM/02)**, for vehicular damages alleged to have been sustained from an automobile accident on October 9, 2010 at 1605 Peachtree Street.



**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0386 (49) Claim of **Blair King, Alex King, and Mary Brownlee, through their Attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for property damages alleged to have been sustained from sanitary sewer backup on March 31, 2005, at 3131 Sorrento Circle.
- 13-R-0387 (50) Claim of **Andrew Dunlap, Zany Dunlap, Yoshico Dunlap, through their Attorney, Sam Starks (DWM/05)**, for property damages allegedly sustained as a result of a sewer back-up on January 21, 2012, at 483 Monument Avenue..
- 13-R-0388 (51) Claim of **Gaylon L. Murphy (DWM/06)**, for property damage alleged to have been sustained as the result of driving over a storm grate on August 21, 2011 at 1425 Piedmont Avenue.
- 13-R-0389 (52) Claim of **Vivan A. Haring and Gabrielle, LLC, though their Attorney, Schulten Ward and Turner (DWM/07)**, for property damage alleged to have been sustained on May 28, 2011 as the result of storm and surface water erosion at 3242 West Roxboro Road.
- 13-R-0390 (53) Claim of **Jamesia Tate (DWM/09)**, for bodily injury allegedly sustained as a result of walking into an uncovered water meter on August 22, 2011 at 2145 Bolton Road.
- 13-R-0391 (54) Claim of **Sharon B. Gray (DWM/10)**, for property damages alleged to have been sustained from a sewer back up on September 29, 2012 at 4277 Bakers Ferry Road.
- 13-R-0392 (55) Claim of **James Merkersen (DWM/11)**, for property damage allegedly sustained as a result of a sewer back-up on an undisclosed date at 2249 Niskey Lake Road.
- 13-R-0393 (56) Claim of **Smith Morris Boddie (DWM/12)**, for property damage alleged to have been sustained as a result of driving over a storm grate on July 28, 2012 at 1600 Pryor Road.
- 13-R-0394 (57) Claim of **Cheryl Thomas (DWM/NA)**, for property damage allegedly sustained as a result of a leaking water meter on April 18, 2011 at 1973 Sand Creek Drive.
- 13-R-0395 (58) Claim of **Diandra Jones (DWM/NA)**, for property damage alleged to have been sustained as the result of driving over water valves on August 8, 2012 at Flat Shoals Road and Buffington Road.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0396 (59) Claim of **Kevin T. Sullivan (DWM/NA)**, for property damages alleged to have been sustained from a water main leak on October 12, 2012, at 8460 Valemont Drive, Sandy Springs, Georgia.
- 13-R-0397 (60) Claim of **AT&T (NA/02)**, for property damage alleged to have been sustained as the result of underground conduit pipe installation on August 5, 2011 at 700 Marietta Street.
- 13-R-0398 (61) Claim of **Anthony L. Johnson, Jr. (NA/03)**, for bodily injury alleged to have been sustained resulting in a broken tooth on September 30, 2011 at 901 Rice Street, Fulton County Jail.
- 13-R-0399 (62) Claim of **Leona Andrews (NA/03)**, for property damage allegedly sustained as a result of the installation of a sidewalk on December 27, 2005 at 1693 Martin Luther King, Jr. Drive.
- 13-R-0400 (63) Claim of **Kenyatta Brown, a Minor, through his Attorney, Cooper F. Spence, Foy & Associates, P.C. (NA/04)**, for bodily injury alleged to have been sustained from a physical altercation on October 4, 2012 at Brown Middle School, 765 Peoples Street. SW.
- 13-R-0401 (64) Claim of **Tyari Warren, through her Attorney, Tiffany D. Brown, The Mabra Firm, LLC (NA/04)**, for bodily injury alleged to have been sustained when Atlanta Public School bus struck another vehicle on October 31, 2012 at Lucile Avenue and Lawton Street.
- 13-R-0402 (65) Claim of **Gregory E. Brown, through his Attorney, Montlick & Associates, P.C. (NA/08)**, for bodily injury alleged to have been sustained from an automobile accident on July 27, 2011 at Bellemeade Avenue and Northside Drive.
- 13-R-0403 (66) Claim of **Joe Clark (NA/08)**, for property damage alleged to have been sustained as the result of driving over a road defect on September 27, 2012 on Habersham Road at West Paces ferry Road.
- 13-R-0404 (67) Claim of **Deniesha Palmer (NA/08)**, for property damage allegedly sustained when the claimant drove over an unsecured construction cut on September 27, 2012 on West Paces Ferry Road.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0405 (68) Claim of **David Balser (NA/08)**, for property damage allegedly sustained when the claimant drove over an unsecured construction cut on October 2, 2012 on West Paces ferry Road.
- 13-R-0406 (69) Claim of **Karen Greene (NA/08)**, for property damage allegedly sustained when the claimant drove over an unsecured construction cut on October 2, 2012 on West Paces Ferry Road.
- 13-R-0407 (70) Claim of **Andre' Bent (NA/08)**, for property damage allegedly sustained when the claimant drove over an unsecured construction cut on October 1, 2012 on 875 West Paces Ferry Road.
- 13-R-0408 (71) Claim of **Baltazar Del Valle, through his Attorney, Derek M. Hays, Esq., Law Office of Gary Martin Hays & Associates (NA/NA)**, for bodily injury alleged to have been sustained as a result of a motor vehicle accident on December 7, 2010 at Interstate 20 and Evans Mill Road.
- 13-R-0409 (72) Claim of **Edwin A. Gresham (NA/NA)**, for property damage alleged to have been sustained from driving over a construction site on February 17, 2012 at I-285 Eastbound and Roswell Road.
- 13-R-0410 (73) Claim of **Travis Jones, through his Attorney, The Brown Firm, LLC (NA/NA)**, for bodily injury alleged to have been sustained from an automobile accident involving a MARTA bus on April 4, 2012 at Dekalb Industrial Way and E. Ponce De Leon Avenue, Dekalb County, Georgia.
- 13-R-0411 (74) Claim of **Melik Lamar Harvey (NA/NA)**, for property damage alleged to have been sustained from driving over a construction site on October 12, 2012 at I-285 and I-75 Westbound.
- 13-R-0412 (75) Claim of **Maxine Kilpatrick (NA/NA)**, for property damage alleged to have been sustained as the result of driving over a bridge metal expansion gap on November 10, 2012 on Constitution Road at Entrenchment Creek.

**CONSENT AGENDA**

**E. RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations (cont'd)**

- 13-R-0413 (76) Claim of **Byron C. Bell (NA/NA)**, for property damage alleged to have been sustained as the result of driving over a bridge metal expansion gap on December 6, 2012 on Constitution Road at Entrenchment Creek.

**FAVORABLE, ITEMS 1-34 and 36-76 (6 YEAS) (0 NAYS)**

**FAVORABLE, ITEM 35 (5 YEAS) (0 NAYS)**

**(1 ABSTENTION)**

**F. COMMUNICATION**

- 13-C-0287 ( 1) A Communication from L. Chris Stewart, President, Gate City Bar Association, to Municipal Clerk Rhonda Dauphin Johnson, submitting their appointment of **Ms. Osa Benson** to serve on the Atlanta Citizen Review Board.

**FAVORABLE (6 YEAS) (0 NAYS)**

**REGULAR AGENDA**

**G. ORDINANCE FOR SECOND READING**

- 13-O-0317 ( 1) An Ordinance by Councilmembers Cleta Winslow, Michael Julian Bond, C. T. Martin, Aaron Watson, Kwanza Hall, Alex Wan, Ivory Lee Young, Jr., H. Lamar Willis, Natalyn M. Archibong and Keisha Lance Bottoms to amend Chapter 106 (Offenses and Miscellaneous Provisions), Article VII (Drug Free Zones), Division 1 (Commercial Zones), Section 106-403 (a) (Designation of Drug-Free Commercial Zones), of the Code of Ordinances of the City of Atlanta, Georgia so as to add four (4) new Drug-Free Commercial Zones as described herein; to waive conflicting Ordinances and Code Sections; and for other purposes.

**FAVORABLE (6 YEAS) (0 NAYS)**

**H. RESOLUTION**

- 13-R-0294 ( 1) A Resolution by Public Safety and Legal Administration Committee authorizing the Settlement of all claims against the City of Atlanta in the case of **Betty Freeman, et al. v. City of Atlanta, Et al.**, Civil Action File Number 1:13-CV-00227-RLV, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$30,000.00 (the Settlement Amount”); authorizing the Settlement Amount to be charged to and paid from the FDOA number listed; authorizing the Chief Financial Officer to distribute the Settlement Amount; and for other purposes.

**FAVORABLE (6 YEAS) (0 NAYS)**

**I. PAPERS HELD IN COMMITTEE**

- 10-R-0137 ( 1) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes. (Held 1/12/10 for a Joint Work Session with Finance/Executive Committee and Committee on Council; Work Session held 2/3/10.)
- 10-O-0397 ( 2) An Ordinance by Councilmember H. Lamar Willis as **substituted by Public Safety and Legal Administration Committee** amending Section 162-227 and Section 162-232 of the City of Atlanta Code of Ordinances so as to establish fees for the administrative costs associated with nonconsensual motor vehicle towing; and for other purposes. **(Public Hearing held 4/27/10) (Substituted and held 4/27/10 for further evaluation and review.)**
- 10-O-0399 ( 3) An Ordinance by Councilmember Ivory L. Young, Jr. to amend Article XXIII, (“Vending on Public Property”) of Chapter 30, (“Businesses”), Section 30-1436 (“Disabled Veterans”), of the Code of Ordinances of the City of Atlanta, Georgia, so as to expressly exempt Disabled Veterans from participation in the Public Vending Management Program; and for other purposes. **(Held 2/23/10 for further review.)**
- 10-O-0728 ( 4) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts holding permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes. **(Held 5/11/10 for further review.)**

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**I. PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-R-0855 ( 5)      Claim of **Ron Tusso**, for damages alleged to have been sustained as a result of a sewer backup on November 10, 2009 at 1850 Memorial Drive. **(Held 5/11/10 for further review by the Law Department.)**
- 10-O-1173 ( 6)      An Ordinance by Councilmembers Ivory L. Young, Jr. and C. T. Martin imposing a Ninety (90) Day Moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes. **(Referred back from Council 7/19/10.) (Held 7/27/10 for further review.)**
- 10-O-1342 ( 7)      An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Felicia A. Moore and Ivory L. Young, Jr. to amend Chapter 10, Article II, Division 3 of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Section 10-130 to be entitled "Extended Hours Permit Pilot Program"; to temporarily waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances in the Edgewood Avenue/Auburn Avenue District of the City so as to allow for a Pilot Program to examine the impact of extending the permissible hours for establishments authorized to sell alcoholic beverages for on-premises consumption; to define the boundaries of the Edgewood Avenue/Auburn Avenue District; to waive conflicting ordinances for this instance only; and for other purposes. **(Held 7/13/10 for further discussion.)**
- 10-R-1343 ( 8)      A Resolution by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Felicia A. Moore, Joyce Sheperd, Ivory L. Young, Jr., Natalyn M. Archibong and Carla Smith **as amended by Public Safety and Legal Administration Committee** to establish a Task Force to review the Alcoholic Beverage Licensing Process generally, from application to License Review Board consideration and to the enforcement of Alcoholic Beverage Laws, Ordinances and Regulations; to authorize the Public Safety and Legal Administration Committee to determine the membership structure of the Task Force; and for other purposes. **(Amended and held 7/13/10 for further discussion.)**

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**I. PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-1880 ( 9)     An Ordinance by Councilmembers Kwanza Hall, Aaron Watson, H. Lamar Willis, Michael J. Bond, Natalyn Archibong, Keisha Lance Bottoms, Alex Wan and Carla Smith authorizing the operation of Human-Drawn Vehicles (Pedicabs) within the City of Atlanta; to establish requirements and regulations for such program; and for other purposes. **(Held 10/26/10 for further review at the request of the author.)**
- 11-R-0929 (10)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to exercise renewal options with Wrecker Service Vendors listed on Contract FC-6008000003 ("Contract"), for Wrecker Services for vehicles under two (2) tons, on behalf of the Department of Police, all revenues generated under this contract shall be deposited as described in this resolution; and for other purposes. **(Referred back by Full Council 10/3/11.) (Held 10/11/11 for further review.)**
- 11-O-0996 (11)     An Ordinance by Councilmembers Felicia A. Moore, Natalyn Archibong, Joyce Sheperd, Michael J. Bond, Yolanda Adrean, Kwanza Hall and Alex Wan to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so as to decrease the number of Municipal Court Judges from ten (10) to eight (8); to waive conflicting ordinances and code sections; and for other purposes. **(Referred back by Full Council 7/5/11.) (Held 7/11/11 for further review.)**
- 11-O-1479 (12)     An Ordinance by Councilmember Michael J. Bond to amend Chapter 10, (Alcoholic Beverages) of the City of Atlanta Code of Ordinances to provide for the regulation of package and convenience stores; and for other purposes. **(Held 10/11/11 at the author's request.)**
- 12-O-0375 (13)     An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 70, Article II of the Code of Ordinances of the City of Atlanta, Georgia, entitled "Burglar or Robbery Alarm Systems," for the purpose of regulating Burglary and Robbery Alarm Systems within the City of Atlanta in order to reduce the number of false alarms within the City of Atlanta through more efficient regulation of such alarm systems; to waive conflicting ordinances; and for other purposes. **(Held 5/1/12 for further review.)**

**I. PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-O-0488 (14) An Ordinance by Councilmember Michael J. Bond **as Substituted by Public Safety and Legal Administration Committee** to repurpose General Fund Revenue from City Cell Tower Leases for the Atlanta Police Department Shot Spotter Program; and for other purposes. **(Held 5/1/12 for further review.) (Substituted and held 5/15/12.)**
- 12-R-0670 (15) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into and execute an "Agreement" between the City of Atlanta and Sandy Springs, Georgia for the purpose of providing Automatic and Mutual Aid for emergency and non-emergency responses and the lease for usage of the City of Atlanta's Fire Station 39 by the City of Sandy Springs Fire Department; and for other purposes. **(Held 5/15/12 at the Department request.)**
- 12-O-0693 (16) An Ordinance by Councilmembers Michael J. Bond, Natalyn M. Archibong, H. Lamar Willis, C. T. Martin, Kwanza Hall, Keisha Lance Bottoms, Carla Smith, Howard Shook, Felicia A. Moore, Aaron Watson, Alex Wan, Joyce Sheperd and Yolanda Adrean amending the Code of Ordinances of the City of Atlanta Part II ("General Ordinances"), Chapter 106 ("Offenses and Miscellaneous Provisions"), Article IV (Offenses Against Public Morals"), Division 3 ("Drugs and Other Controlled Substances") by adding a new section prohibiting the use, sale or delivery of certain dangerous substances, sold and marketed as incense, potpourri or novelty aromatics affecting the public health, safety and welfare of the Citizens of Atlanta and providing for a penalty for violation; and for other purposes. **(Held 5/15/12 for further review.)**
- 12-R-0888 (17) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a new Lease Agreement with the Vine City Plaza I, LLC, for the rental of 1,707 square feet of office space located at 612 Magnolia Street, Atlanta, Georgia, for the Department of Police Zone One Investigations Mini Precinct, from the period of September 1, 2012, until August 31, 2015, at a rental rate of \$1.00 for the year, to be charged to and paid from Fund, Account and Center Number listed; and for other purposes. **(Referred back from Full Council 7/2/12.) (Held 7/10/12 at the request of Councilmember Young for further review.)**



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**I. PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-O-0900 (18) An Ordinance by Councilmembers Felicia A. Moore and Natalyn M. Archibong to amend Chapter 18, Article III (Animal Control) of the City of Atlanta Code of Ordinances by activating Code Sections 18-70 and 18-131 (Both Being Currently Reserved) so as to make unlawful the use of "Bullhooks" or other similar devices on elephants; to waive conflicting ordinances; and for other purposes. **(Held 6/26/12 at the request of the Author.)**
- 12-O-1001 (19) An Ordinance by Councilmember Kwanza Hall to amend Article V-Vehicle Immobilization Services of the City of Atlanta Code of Ordinances; and for other purposes. **(Held 7/31/12 at the Author's request.)**
- 12-O-1138 (20) An Ordinance by Councilman Kwanza Hall to activate Section 106-13 (Which Code Section is Currently "Reserved") of the Code Of Ordinances of the City Of Atlanta, Georgia to be entitled "Loitering or Prowling" so as to make unlawful the activity described therein and to provide for the penalty to be imposed upon persons convicted for the violation of said ordinance and Code Section; to waive conflicting ordinances and Code Sections; and for other purposes. **(Held 8/28/12 for further discussions.)**
- 12-C-1636 (21) A Communication from **Mr. Tyler Joshua Green**, President, Student Government Association, Clark Atlanta University, to Council President Ceasar C. Mitchell and Members of Council, appointing **himself** as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 11/27/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 12-O-1734 (22) An Ordinance by Councilmember Michael J. Bond to establish Section 10-109.1 of the Code of Ordinances of the City of Atlanta, Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturer), Division 2 (License), Subdivision III (Renewal, Revocation, Transfer), so as to create mandatory progressive penalties for "due cause" findings made by the License Review Board; to waive conflicting ordinances and code sections; and for other purposes. **(Held 11/27/12 for further review.)**
- 12-O-1735 (23) An Ordinance by Councilmember Michael J. Bond to activate Section 10-76 of the Code of Ordinances of the City of Atlanta (which section is currently reserved), Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturer), Division 2 (License), Subdivision 1 (General Provisions), so as

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**I. PAPERS HELD IN COMMITTEE (CONT'D)**

to provide for not less than forty-five (45) days notice to all interested parties in all proceedings before the License Review Board; to waive conflicting ordinances and code sections; and for other purposes. **(Held 11/27/12 for further review.)**

12-C-1759 (24) A Communication from Art R. Malloy, Dean of Student Success, Savannah College of Art and Design (SCAD), to Council President Ceasar C. Mitchell and Members of Council, submitting **Ms. Linda Chang** as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 12/11/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

12-O-1817 (25) An Ordinance by Councilmember Natalyn M. Archibong to activate §158-12 (Currently Reserved) of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt properties certified by the National Wildlife Federation as Wildlife Habitats, from all City of Atlanta Vegetative Growth, Weed, Grass and Nuisance Ordinances and Regulations; to waive conflicting ordinances and code sections; and for other purposes. **(Held 12/11/12 at the request of the author for further discussion and review.)**

13-O-0025 (26) An **Amended** Ordinance by Public Safety and Legal Administration Committee to amend Chapter 106, Article IV, Division 1, Section 106-127, entitled "Solicitation for an Illicit Sexual Act," to mandate a sentence of a term of probation for a first conviction of a violation of Section 162-127, and to mandate banishment from geographical areas within the City of Atlanta defined as "Areas of Prostitution" during the time of said probation; to require banishment from "Areas of Prostitution" during the probationary period mandated for a second violation of Section 162-127, should the sentencing court decline to banish the offender from the corporate limits of the City as currently allowed; to remove superfluous sentencing language; and for other purposes. **(Referred back by Full Council 2/4/13; Work Session 2/11/13; Held 2/12/13 by the Committee for further review; Work Session 2/25/13.)**

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**I. PAPERS HELD IN COMMITTEE (CONT'D)**

- 13-O-0163 (27) An Ordinance by Councilmember Cleta Winslow to amend the City of Atlanta Code of Ordinances by repealing Chapter 30, Article XXIII, (Vending on Public Property), in its entirety; to thereby eliminate Public Property Vending in the city of Atlanta; to waive conflicting ordinances; and for other purposes. **(Held 1/29/13 by the Committee for two weeks time certain to hear from the Administration; Held 2/12/13 at the request of the Administration for 60 days. Taking into account the Council Recess in April, the next regularly scheduled PSLA Committee meeting is April 30, 2013.)**

**J. REQUESTED ITEMS**

1. Councilmember Willis asked City Attorney Cathy Hampton to provide information to the Committee listing how much money the City has paid Attorneys that are on the clock, the City is being billed by outside counsel.
2. Councilmember Willis asked the Law Dept. to take a look at the OPS cases sustain rate (on cases that were settled) compared to the National Average. Cathy Hampton, City Attorney, started that the Law Department will look at state and National trends and report back to the Committee. Councilmember Bond asked that reasons why the settlements were in the best interest be include in the report.

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**ADJOURNMENT**

**There being no further business before the Committee, the meeting was Adjourned at 5:27 p.m.**

**Respectfully Submitted:**



**Wasonna H.-Griffin, Legislative Assistant**



**Bernard Thomas, Research & Policy Analyst**



**The Honorable Michael J. Bond, Chair  
Public Safety and Legal Administration Committee**